

Proposal for the partial vacating of Canyon Road

Currently a large portion of Canyon Road is maintained by CCRD and would be beneficial to the county as a whole if vacated. The portion of the road in question is what has been referred to as the “new gate” to the “old gate”. This section of the roadway is unimproved (not paved) has no commerce for the county. It is not a route of travel for the motoring, and is currently made up of gravel and bedrock. The distance of the section in question is approximately 2275 feet.

Financially:

Every year the CCRD has to expend manpower, equipment usage and sometime purchase of material to repair/ maintain the roadway after moderate to heavy flooding. This consists of bring employees and equipment to the road to replace, plow, or grade the road back into being somewhat useable after being washed out by the flooding. They have also had to respond to remove/cut trees or brush that has fallen or otherwise blocked portions of the road. Vacating this part of the roadway eliminates this need.

Liability:

“Citizens” have taken it upon themselves to “fix” the roadway by cutting trees, (some on private property), grading the roadway with personnel equipment, etc. This brings a liability to the county if these individuals are injured or cause injuries.

Potential added costs:

During some recent repairs the CCRD has used existing materials on site to repair the roadway. Unfortunately, due to Judge Johnson ambiguous ruling that this area is in fact a county road, it's unclear if the material was taken from private property or not. Do the land owners need to be finically compensated for this material? The "roadway" is somewhat hard to define due to the ever-changing landscape because of the flooding.

In compliance with Missouri RSMo 228.110 we the undersigned property owners request the Christian County Commission to VACATE the undeveloped/unpaved portion of Canyon Road located in Christian County, Missouri.

The section being requested to be vacated is described as beginning at the end of the paved portion "new gate" of Canyon Road to the "old gate" as described in Christian County court case 20CT-CC00186. This is further described as the gravel/bed rock section running parallel to the Finley Creek to the dead end. The purpose of this request will be to facilitate control of vehicular traffic which currently limits the landowners from accessing their property when necessary.

The area in question does not include any portion of the Missouri Department of Transportation easements.

We the undersigned landowners and voters of Linden Township Christian County ask the Christian County Commission(ers) to vacate the portion of Canyon Road described as the gravel/bedrock running parallel from Finley Creek to the dead end.

This section is also described as the "new gate" to the "old gate" in Christian County Court case 20CT-CC00186.